

# INFORMATION LETTER

Not for  
Publication

NATIONAL CANNERS ASSOCIATION

For Members  
Only

No. 735

Washington, D. C.

March 25, 1939

## HEARING CALLED ON STANDARDS OF IDENTITY FOR CANNED VEGETABLES

### Proposed General Definition Covers 39 Vegetables and Mixtures of Vegetables

Beginning at 10:00 A. M. on April 24, 1939, a public hearing will be held in Room 3036, Department of Agriculture South Building, Independence Avenue between 12th and 14th Streets, S. W., Washington, D. C., for the purpose of receiving evidence upon the basis of which a regulation may be promulgated establishing standards of identity for specific canned vegetables.

Establishment of standards of identity for these vegetables will be of immediate value to the canning industry. It will eliminate uncertainty about the ingredients that may be used and also will provide definite information about statements on the labels.

The proposed standards of identity cover not only the separate items when canned alone but also various types of mixtures of succulent vegetables. It will be noted that the list does not include canned tomatoes or canned peas. These have already been considered and separate standards of identity proposed.

All interested persons are invited to attend this hearing and offer relevant evidence either in person, by representative, or by affidavit. Affidavits will be received by mail up to the day set for the hearing. The lack of opportunity for cross-examination will be taken into account in the consideration of such affidavits. They should be addressed to Frank S. Hassell, Room 2309, South Building, Department of Agriculture, Washington, D. C., who has been designated by the Secretary of Agriculture as presiding officer.

The hearing will be conducted in accordance with the Rules of Procedure for Hearings Required under the Federal Food, Drug, and Cosmetic Act as published in the Federal Register for January 13, 1939.

Official announcement of the hearing, and text of the proposed standards, are contained in the Federal Register for March 24, and a copy of this issue has been mailed direct to

each canner of the vegetables listed. The test of the proposed definitions is given below.

### PROPOSED STANDARDS

SEC. 52.990 *Canned Vegetables—Definitions and Standards of Identity; Label Statements of Optional Ingredients.* (a) A canned vegetable for which a definition and standard of identity is herein prescribed is the food prepared from one or any mixture of two or more of the following properly prepared, succulent vegetables:

Artichokes; whole, hearts.  
Asparagus; stalks, cut stalks, tips, butts.  
Bean Sprouts.  
Green Beans; whole, cut, slices.  
Wax Beans; whole, cut, slices.  
Shelled Beans.  
Lima Beans.  
Beets; whole, slices, quarters, dice, pieces, shoestring.  
Beet Greens.  
Broccoli.  
Brussel Sprouts.  
Cabbage.  
Carrots; whole, slices, quarters, dice, pieces, shoestring.

(Continued on page 5780)

## PROSPECTS FOR CANNED PEAS IN 1939

### Factors Involved in Canners' Planning for This Year's Sown Acreage

The problem of planning each year's operations is one that has never been solved to the complete satisfaction of all canners. A perfect adjustment of production to consumer demand has probably never been achieved.

A presentation of the record of the industry's attempt to adjust its production to demand for the last few years will serve to show some of the problems involved. No one denies the fact that low prices are usually associated with large production, and certainly no producer is particularly eager to create a situation that will cause him to sell his peas at low prices. Why is it that every now and then pea packers will increase their production to the point that it is necessary to sell at ruinously low prices?

Each canner has his own job of adjusting his acreage to give him a pack which he has reason to believe he can sell on a profitable basis. The adjustment in the sown acreage for peas for the entire industry is merely the aggregate of the individuals' adjustment. The factors which influence the individual canner's planning are therefore the same factors which influence the adjustment for the industry. Probably no two canners are affected in the same manner by these factors.

The individual is influenced in his adjustment by a number of factors, one of which is the price he received for his canned peas the previous year. Another is the volume of his

### Suggested Required Reading In This Issue

Hearing called on standards of identity for canned vegetables, page 5777.

How required statements may be arranged on label under new food law, page 5778.

Private motor carrier hearing, page 5781.

Prospects for canned peas in 1939, page 5777.

## How Required Statements May be Arranged on Label Under New Food Law

Many canners have written the Association for specific information and advice with regard to revision of their labels that may be necessary to bring them into conformity with the new food law and regulations. At the same time the Food and Drug Administration has urged that canners do not delay making the necessary revisions called for by the regulations already issued.

To assist canners in revising existing labels and in planning for new labels, there are reproduced on the opposite page three typical label arrangements which, after consultation with officials of the Food and Drug Administration, the Association believes will be acceptable to those in charge of enforcement of the new food law.

The use of these arrangements, of course, is not obligatory, nor are these the only arrangements that will be acceptable. They do, however, furnish concrete suggestions, and provide a basis upon which it should be possible to develop a desirable standardization in labels, which at the same time offers a considerable degree of flexibility.

The essential feature of the three arrangements is the panel, occupying 20 per cent of the label, on which is to be given the information required by the law and

regulations. This will include not only the statement of the contents, the packer or distributor name and place of business, the common or usual name, and, where required, the ingredients, but also any other required information such as optional ingredients, artificial color, artificial flavor, etc. This panel is in all cases to be at the immediate right of the main panel, and along with the main panel occupies 60 per cent of the label space. The examples given are for labels on No. 2 cans. On labels of considerably smaller cans, the space for the required information panel may have to be more than 20 per cent.

The law requires that the information be placed on the label with such conspicuousness as to render it likely to be read. This conspicuousness can be achieved by position of the statement, by the size of the lettering, and also by the contrast in color of lettering and color of background. However, the contrast in color must be such as to contribute to the legibility of the statement.

The foregoing comments relate, of course, to labels for standard products, since the Act provides that for substandard food the regulation shall specify the manner and form of statement to show that the article is substandard.

sales for the last year. Since the industry's action is merely the sum total of the actions of the 350 canners packing peas, the record of annual sales and prices, and their relation to the size of the packs, as shown in the following table, will be of interest:

Year June 1 to May 31	Wholesale price per dozen	Total supply 1,000 Cases	Con- sumption 1,000 Cases	Carryover at end of year 1,000 Cases
1933-34.....	\$1.10	13,803	13,544	349
1934-35.....	1.15	15,709	15,438	271
1935-36.....	.78	24,033	20,369	3,664
1936-37.....	.91	19,842	17,597	2,245
1937-38.....	.75	25,021	20,967	4,054
1938-39.....	.70	30,049	.....	.....

The total supply of canned peas (the carryover and pack added together) has been increasing during recent years. The large supply of 1935-36 caused by the large pack of 1935 resulted in the low average price of 78 cents a dozen for Standard 3 Alaskas, but over 20,000,000 cases were sold that year. In 1936, when the pack was short because of drought conditions, the supply was smaller than for the previous year and the average price correspondingly higher.

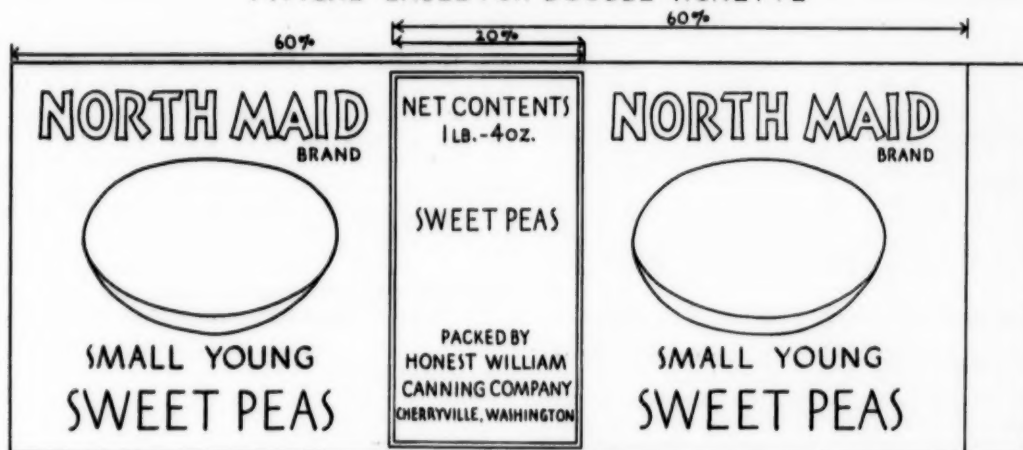
Another large pack in 1937 was greatly responsible for the large supply of 1937-38 and the low average price of 75 cents per dozen. Again the annual consumption of peas

amounted to more than 20,000,000 cases. Government purchases last year, however, accounted for most of the sales above 20,000,000, consequently sales to the trade amounted to only about 20,000,000 cases last year, leaving a carryover of 4,654,000 cases. Owing to very favorable weather conditions, the 1938 pack was of record proportions, which, with the carryover from 1937, made a supply of over 30,000,000 cases.

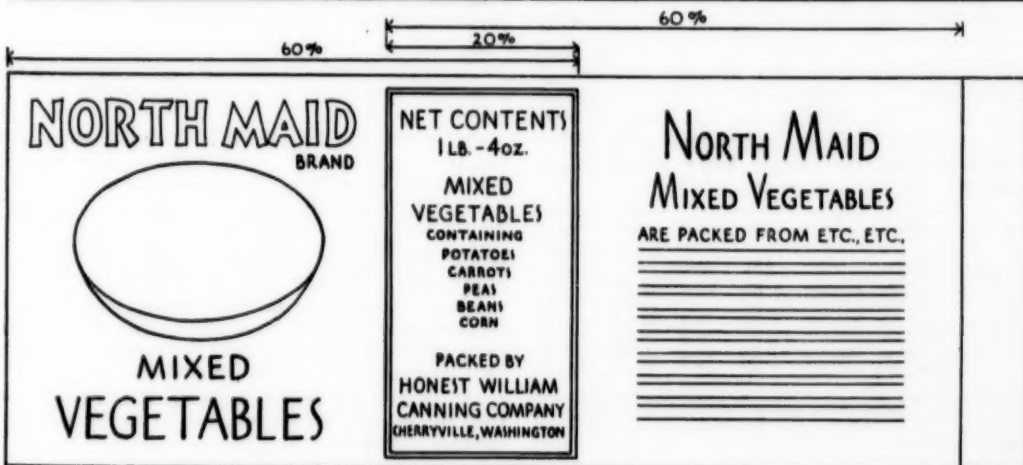
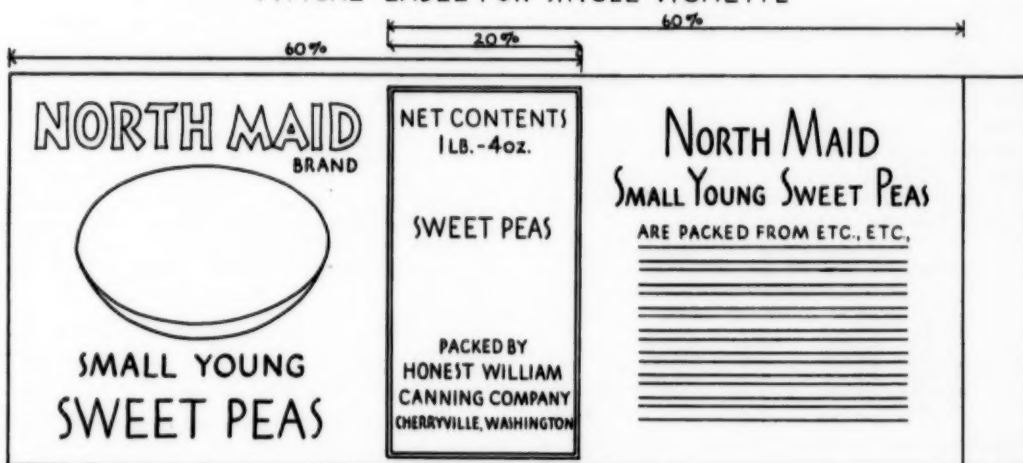
Prices throughout the current year have been very low, the latest available figure being 70 cents per dozen. Consumers have responded to these low prices, however, and canners' shipments for the year to March 1 totaled 17,327,514 cases, which is the largest shipment on record for the first nine months of the year. The largest previous record was for the corresponding period in 1937-38, when 16,636,986 cases were shipped. Owing to the fact that the market situation is slightly different this year than for any previous year, it is difficult to estimate the shipments of peas for the remaining three months (March 1 to June 1) of this year. The following table giving the statistical situation as of March 1 shows the stocks on hand March 1, 1939, compared with a year earlier, together with the shipments for the last three months of the 1937-38 year and the carryover at the end of the year (June 1).

(Continued on page 5780)

TYPICAL LABEL FOR DOUBLE VIGNETTE



TYPICAL LABEL FOR SINGLE VIGNETTE



## PROSPECTS FOR CANNED PEAS IN 1939

(Continued from page 5778)

	Stocks March 1		Shipped March 1 to June 1		Carryover June 1	
	1938	1939	1938	1939	1938	1939
	1,000	1,000	1,000	1,000	1,000	1,000
	Cases	Cases	Cases	Cases	Cases	Cases
New York and Maine:						
Alaska.....	89	54	56	....	33	....
Sweets.....	786	967	443	....	343	....
Middle Atlantic:						
Alaska.....	482	460	230	....	252	....
Sweets.....	176	272	89	....	87	....
Mid-West:						
Alaska.....	2,981	3,822	1,637	....	1,344	....
Sweets.....	2,455	4,009	953	....	1,502	....
Western:						
Alaska.....	36	43	11	....	25	....
Sweets.....	1,979	3,005	911	....	1,068	....
Total Alaska...	3,588	4,379	1,934	....	1,654	....
Total Sweets...	5,396	8,343	2,396	....	3,000	....

Each individual canner can, from the information in these tables, make his own calculation as to the carryover in the immediate section in which he is operating and thus obtain some measure of the available supplies that will be carried over and added to next year's pack.

The Bureau of Agricultural Economics, in its report of March 9 showing canners' intentions to sow peas this year, indicates a reduction from last year of 10 per cent in New York and Maine, 11 per cent in the Middle Atlantic, 16 per cent in the Mid-West, and 20 per cent in the Western States. The question has been asked, how closely the acreage which is actually sown compares with the reports of intentions to plant. A record of the Bureau of Agricultural Economics' reports of acreage of green peas for manufacture is shown in the table below.

Year	Intentions		Sown acreage Change from intended		Harvested acreage Change from sown	
	Acre	Acre	Per cent	Acre	Per cent	
1934.....	246,000	280,360	+14	249,870	-11	
1935.....	319,360	341,300	+7	315,040	-8	
1936.....	330,860	337,500	+2	296,850	-12	
1937.....	347,050	354,420	+2	334,820	-5	
1938.....	334,920	328,720	-2	312,620	-5	
1939.....	280,720	.....	.....	.....	.....	

It should be pointed out that the Bureau of Agricultural Economics' report on acreage of green peas for manufacture includes peas for canning, for freezing, for soup, etc. For the last two years, when a relatively larger acreage has been used for purposes other than canning, the National Canners Association has obtained figures on sown acreage for canning only. This explains why the following table which shows acreage, pack, etc., for canning only, differs in some respects from the acreage figures shown in the previous table.

Year	Sown		Harvested		Yields per acre		Actual pack		Expected pack*	
	Acre	Acre	Acre	Acre	Lbs.	Cases	1,000	1,000	Cases	Cases
1933.....	228,300	217,430	1,260	89.2	12,893	13,095				
1934.....	280,390	249,870	1,324	63.0	15,742	16,820				
1935.....	341,360	315,040	1,702	78.4	24,099	20,477				
1936.....	337,050	296,850	1,264	55.8	16,553	20,219				
1937.....	338,789	320,517	1,602	73.2	23,467	20,323				
1938.....	299,200	291,423	1,890	87.1	25,395	19,210				

\* Calculated by applying the 9 per cent average abandonment to the sown acreage to secure anticipated harvested acreage, which was multiplied by the average yield in cases per acre of 65.92 cases. Average in each case was for the five-year period 1933-1937.

The foregoing table is shown for the purpose of indicating the variations in the pack which have occurred during the last six years due to changes in acreage and also to variations in yields. The expected pack, which appears in the last column, gives the pack that might have been expected with average growing conditions from the acreage sown. Since the expected pack frequently differs widely from the pack which was actually realized, it is reasonable that one should take into account growing conditions and probable yields as well as adjustment in acreage when calculating the pack to be expected for this year.

## HEARING CALLED ON STANDARDS OF IDENTITY FOR CANNED VEGETABLES

(Continued from page 5777)

Cauliflower.  
Celery.  
Collards.  
White Corn; on cob, whole grain, crushed.  
Yellow Corn; on cob, whole grain, crushed.  
Dandelion Greens.  
Field Corn; whole grain, crushed.  
Kale.  
Kohlrabi.  
Mushrooms; buttons, whole, slices, pieces and stems.  
Mustard Greens.  
Okra; whole, cut.  
Onions; whole, cut.  
Parsnips; whole, quarters, cut, slices, shoestring.  
Black-eye Peas.  
Field Peas.  
Peppers; whole, pieces.  
Pimientos; whole, pieces.  
Potatoes; whole, dice.  
Sweet Potatoes; whole, pieces.  
Salsify.  
Spinach.  
Swiss Chard.  
Truffles.  
Turnip Greens.  
Turnips; whole, quarters, cut, slices.

Any mixture of two or more vegetables may include one or more of the succulent vegetables for which definitions and standards of identity, as canned food, are prescribed in other sections of these regulations under section 401 of the Act.

(b) (1) In the case of a mixture of two vegetables, the put-in weight of each (except onions, peppers, and pimientos) is not less than  $\frac{2}{5}$  of the total put-in weight of such vegetables.

(2) In the case of a mixture of three vegetables, the put-in weight of each (except onions, peppers, and pimientos) is not less than  $\frac{1}{4}$  of the total put-in weight of such vegetables.

(3) In the case of a mixture of four or more vegetables, the smallest put-in weight of any such vegetable (except onions, peppers, and pimientos) is not less than  $\frac{1}{8}$  of the largest put-in weight of any such vegetable.

(c) (1) In case the canned vegetable is prepared from a single vegetable named in subsection (a), and two or more forms thereof are specified after the name, such vegetable in each such form is an optional ingredient.

(2) In case the canned vegetable is a mixture prepared from two or more vegetables, each of such vegetables is an optional ingredient.



(d) Water is added except when the canned vegetable is prepared from the single vegetable pimientos, or from a mixture of two or three vegetables which includes tomatoes. The following optional ingredients, in the cases of the vegetables specified after each, may be added:

(1) Citric acid, in the cases of artichokes, asparagus, onions, mushrooms, and peppers.

(2) An edible vegetable oil, in the cases of artichokes and pimientos.

(3) Starch, in the cases of white crushed corn and yellow crushed corn, in such quantity as prevents lumpiness.

(4) Snaps (immature broken pods) in the cases of shelled beans, black-eye peas, and field peas.

The food may be seasoned with the following optional ingredients, in the cases of the vegetables specified after each:

(5) Salt, in all cases.

(6) A vinegar, in the cases of beets and mixtures of four or more vegetables.

(7) Spice, in the cases of beets and mixtures of four or more vegetables.

(8) Sugar, in the cases of white corn, yellow corn, field corn, and sweet potatoes.

The food is sealed in a container and so processed by heat as to prevent spoilage.

(e) The name of each canned vegetable for which a definition and standard of identity is herein prescribed is as follows:

(1) In case it is prepared from a single vegetable, the name is that whereby such vegetable is designated in subsection (a).

(2) In case it is prepared from a mixture of two or of three vegetables, the name is a combination of the names whereby each such vegetable is designated in subsection (a) or in a definition and standard of identity prescribed therefor, as canned food, in another section of these regulations under section 401 of the Act. (For example, the name of a mixture of carrots and peas in which the put-in weight of carrots equals or exceeds that of the peas is "Carrots and Peas.") But the name "Succotash" may be used in lieu of the name "White (or Yellow) Corn and Lima Beans" or "Lima Beans and White (or Yellow) Corn."

(3) In case it is prepared from a mixture of four or more vegetables, the name is "Mixed Vegetables."

(f) (1) In case the canned vegetable is prepared from a single vegetable named in subsection (a), and two or more forms thereof are specified after the name, the label shall bear the specifying word or words showing the form of the vegetable present.

(2) In case it is prepared from a mixture of four or more vegetables, the label shall bear a statement showing each vegetable present.

(3) If the optional ingredient citric acid, edible vegetable oil, starch, or snaps is present, the label shall bear the statement or statements "Citric Acid Added" or "With Added Citric Acid," "... Oil Added" or "With Added ... Oil" (the blank to be filled in with the common or usual name of the oil), "Starch Added" or "With Added Starch," "Snaps," as the case may be; or if both citric acid and edible vegetable oil are present, the statements may be combined, as for example, "Citric Acid and ... Oil Added" (the blank to be filled in with the common or usual name of the oil).

(4) If the optional ingredient vinegar or spice is present, the label shall bear the statement or statements "Vinegar Added" or "With Added Vinegar," "Spice Added" or "With

Added Spice," as the case may be; or if both such ingredients are present, the statements may be combined, as for example, "Vinegar and Spice Added." In lieu of the word "Spice" in such statement or statements the common or usual name of the spice may be used.

(5) Wherever the name of the vegetable appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements herein specified showing the optional ingredients present shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter, except that (unless the name is "Mixed Vegetables") the specific varietal name or names of the vegetables may so intervene.

## PRIVATE MOTOR CARRIER HEARING

### Date of Final Hearing in Washington Changed from April 4 to April 11

The Interstate Commerce Commission has announced that the final hearing, first scheduled to be held in Washington on April 4 on standards of operation for private motor carriers, has been postponed until April 11.

By the terms of the Motor Carrier Act, the Interstate Commerce Commission is empowered "to establish for private carriers of property by motor vehicle, if need therefor is found, reasonable requirements to promote safety of operation, and to that end prescribe qualifications and maximum hours of service of employees, and standards of equipment." Under this authority the Interstate Commerce Commission instituted a proceeding of inquiry (Ex Parte No. MC-3) and scheduled hearings which opened in Washington and were followed by a series of regional hearings, the places and dates of which were noted in the INFORMATION LETTER.

At the time the first hearing was held, the Commission did not contemplate regional hearings nor a final Washington hearing. However, the Commission has complied with requests for further hearings.

In connection with the inquiry the Commission issued the following notice to private carriers of property by motor vehicle:

"For the purpose of aiding in the presentation of evidence at the hearings in the above proceeding, your attention is directed to the order of the Commission dated December 23, 1936, prescribing Safety Regulations for common and contract carriers by motor vehicle, and the order of the Commission dated July 12, 1938, prescribing maximum hours of service for employees of common and contract carriers by motor vehicle.

"In addition to submitting testimony on the need for Federal regulation of private carriers of property, it will be helpful to have evidence submitted as to what changes, if any, should be made in the safety regulations prescribed for common and contract carriers in order to make them applicable to private carriers of property."

Briefly summarized, the safety requirements referred to in the Commission's notice provide certain qualifications for drivers, that motor vehicles are not to be operated in a reckless manner or at unreasonable speeds, and that such vehicles have certain necessary equipment and accessories. Generally the regulations limit the drivers, with certain exceptions, to a 60-hour week, require the drivers to keep a log, and require carriers to make monthly reports to the Commission. The

sections of the regulations governing the hours of drivers for common and contract carriers, are as follows:

#### RULE 1

(c) A driver is on duty from the time he begins to work or is required to be in readiness to work until the time he is relieved from work and all responsibility for performing work. Time spent by a driver resting or sleeping in a berth as defined in paragraph (g) of this rule shall not be included in computing time on duty.

(e) The term "week" means any period of 168 consecutive hours beginning at the time the driver reports for duty, as defined in paragraph (c) of this rule.

#### RULE 3

(a) No carrier subject to these regulations shall permit or require any driver in his employ to remain on duty, as defined in paragraph (c) of rule 1, for a total of more than 60 hours in any week, as defined in paragraph (e) of rule 1; provided, however, that carriers operating vehicles on every day of the week may permit drivers in their employ to remain on duty for a total of not more than 70 hours in any period of 192 consecutive hours.

(b) Except under conditions set forth in rule 6 (a) and (b) hereof, no carrier subject to these regulations shall permit or require a driver in his employ to drive or operate for more than 10 hours in the aggregate in any period of 24 consecutive hours, unless such driver be off duty for 8 consecutive hours during or immediately following the 10 hours aggregate driving and within said period of 24 consecutive hours; provided, however, that two periods of resting or sleeping in a berth, as defined in paragraph (g) of rule 1, may be cumulated to give the aforesaid total of 8 hours off duty.

#### RULE 6

(a) In case of snow, sleet, fog, or other adverse weather conditions, or in case the highways are covered with snow or ice, or presence of unusual adverse road and traffic conditions, a driver may be permitted and required to drive or operate a motor vehicle for not more than 12 hours in the aggregate in any period of 24 consecutive hours in order to complete his run, without being off duty for a period of 8 consecutive hours as provided by rule 3, and this longer period of driving is permitted even though conditions named herein are known to the employer before the trip is begun.

(b) If a driver is permitted or required under the provisions of subdivision (a) of this rule to drive in excess of 10 hours in the aggregate in any 24-hour period without being off duty for a period of 8 consecutive hours during or immediately following the period of 10 hours driving and within said period of 24 consecutive hours, a report must be made immediately to the Commission, addressed to the district office of the Bureau of Motor Carriers of the district in which the carrier's headquarters is located, and such report shall contain a full and correct statement of the conditions which necessitated the longer period of driving.

(c) In case of any emergency a driver may complete his run without being in violation of the provisions of these regulations, if such run could reasonably have been completed without such violation.

#### Tidewater Cannery Association Meeting

The spring meeting of the Tidewater Cannery Association will be held March 30 at Tappahannock, Va.

#### Dr. Cameron Designated Acting Director

Dr. E. J. Cameron, Assistant Director, has been designated Acting Director of the Washington Research Laboratory by authority of the Interim Committee.

#### Consumers' Bureau Proposed for New York City

A "Consumers' Protection Law," providing for establishment of a consumers' bureau in the New York City Board of Health was introduced March 23 in the City Council by the American Labor party group. The bill would require that every manufacturer or proprietor of a proprietary food, drug, cosmetic, or mechanical health device register his product with the consumers' bureau. The annual registration fee would be \$10. The measure provides that a quantitative statement of ingredients in each proprietary product be placed on the label, except in cases of minute quantities of spices, etc., or in cases where the composition is a trade secret and cannot be disclosed by chemical analysis.

The names and places of business of both the manufacturer and the distributor would be required on the labels of all packaged goods. The bill would also establish a monthly bulletin, to be distributed free of charge, which would list all charges and identify the offenders.

The proposal supplants a previous measure introduced by representatives of the American Labor party on July 5, 1938.

Canners whose products are marketed in New York City will find it advantageous to communicate with their brokers and distributors in that city, as well as others interested in the canning industry, both to ascertain the progress of the proposed ordinance and to assist these groups by furnishing pertinent information for use in opposing impracticable and unnecessary provisions embodied in the ordinance.

#### Early Washington Hotel Reservations Advised

Washington hotel facilities will be taxed to the limit after the first of April, because of events scheduled for that month, such as the Cherry Blossom Festival, the Congress of the Daughters of the American Revolution, and school excursions to the Capital. Therefore, it is suggested that canners who are planning to attend the informal conferences at the offices of the Association on April 1, 8, and 15, and the hearings by the Food and Drug Administration on April 10 and 17, make hotel reservations early.

#### 1938 Information Letter Index

With this week's issue is printed an index of the INFORMATION LETTER for 1938, covering Numbers 682 through 726. This index provides a ready reference to the articles and reports published throughout the year and will be especially valuable to those who maintain permanent files of the Letter.

The Association's experience in answering inquiries, emphasizes the advantage to members of preserving the Letters in a permanent file. Members often ask questions for which answers already have been given in articles published

in the Letter. In such cases, use of the index and the permanent INFORMATION LETTER file would be a distinct saving in time.

### Grocery "Parade of Progress" April 6-May 6

The nation-wide sales promotion of grocery products in retail stores which is to begin April 6 as a "Parade of Progress" of the food industry, will last for a month until May 6, and will be an intensive "celebration" through the cooperative efforts of food manufacturers and distributors. Under the auspices of the Associated Grocery Manufacturers of America, the Parade of Progress was launched in December of 1938 as a program designed to acquaint consumers throughout the country with progress made in food and grocery manufacturing and distribution.

During recent months, manufacturers have told their story through newspapers, magazines, and radio. This week, posters and promotional material are being sent to retailers in order that they may participate in the national program.

### Canners League of California Officers

Preston McKinney was elected president and secretary of the Canners League of California at the annual meeting of the League at Del Monte, March 2 to 4. Mr. McKinney also was elected member of the board of directors of the League. W. S. Everts and Miss Sylvia Kempton were elected assistant secretaries.

### Stocks of Canned Tomato Juice on March 1

Stocks of canned tomato juice in canners' hands on March 1 amounted to 5,982,506 actual cases, according to figures compiled by the Association's Division of Statistics. Stocks on March 1 were 555,087 cases smaller than total stocks on February 1, 1939.

The report is based on reports from about 87 per cent of the pack and carryover, together with estimates for the 13 per cent not reported. The following table shows stocks on March 1 by can sizes:

Name	Cans per case	Stocks Cases
8Z Tall (including 8Z Short).....	48	82,453
No. 1 Pienie.....	48	126,115
No. 211 Cylinder.....	48	414,487
No. 300 (including all 300 cans from 407 to 412).....	48	975,957
No. 1 Tall.....	48	226,133
No. 303 Cylinder.....	24	639,068
No. 2.....	24	400,194
No. 2 Cylinder (including all 307 cans from 505 to 513).....	24	857,352
No. 2 1/2.....	24	59,028
No. 3 Cylinder (including 404 cans from 615 to 708).....	12	776,385
No. 10 (including some No. 5).....	6	874,795
Miscellaneous Tin.....	..	9,656
Glass.....	..	540,283
Total.....		5,982,506

### Proposed Trade Rules for Wine Industry

A draft of proposed trade-practice rules for the wine industry was made public this week by the Federal Trade Commission,

which announced at the same time that a public hearing will be held in Washington April 11.

As usual, the rules promulgated are divided into two groups. Those in "Group I" have the force and effect of law, being based on previous findings and court action, and govern practices that are unfair under existing law. "Group II" trade-practice rules are considered to be conducive to sound business methods and are to be encouraged and promoted through voluntary cooperation.

### Radio Listeners Request Association's Booklet

To date, 1,647 requests have been received for "Every Day Recipes for Canned Foods" from listeners who heard a recent Radio City broadcast of Miss Ruth Atwater of the Association's Home Economics Division. The requests for the recipe booklet, which was offered during the broadcast, have come from 14 States.

### Fruit and Vegetable Market Competition

Carlot Shipments as reported by the Bureau of Agricultural Economics, Department of Agriculture

VEGETABLES	Week ending—			Season total to—	
	Mar. 18, 1938	Mar. 18, 1939	Mar. 11, 1939	Mar. 18, 1938	Mar. 18, 1939
Beans, snap and lima.....	209	92	66	4,101	3,934
Tomatoes.....	989	614	624	6,652	6,235
Green peas.....	81	109	141	1,489	1,087
Spinach.....	278	335	328	5,047	4,621
Others:					
Domestic, competing directly.....	4,740	4,071	4,460	99,110	89,885
Imports competing—					
Directly.....	64	32	21	738	480
Indirectly.....	93	54	49	2,145	2,051
FRUITS					
Citrus, domestic.....	4,249	4,949	5,091	81,437	95,232
Imports.....	0	0	0	107	77
Others, domestic.....	426	119	108	19,191	18,678

### Leaflet Issued on Vegetable Tests

Yield tests of peas, tomatoes, snap beans, and sweet corn, planted at the Iowa Agricultural Experiment Station in 1938, are the subject of a report issued by that Station as Leaflet 1, January, 1939.

### Texas Tomato Marketing Program Hearings

Public hearings have been scheduled on a marketing agreement program proposed to regulate the handling in interstate commerce of fresh tomatoes produced in 103 Eastern Texas counties. The hearings are scheduled for: Jacksonville, March 31; Yoakum, April 3; and Hallettsville, Texas, April 4.

### Complaint Issued Against Fish Dealers

The Federal Trade Commission has issued a complaint against a group of California fish and sea-product wholesalers and brokers, alleging combination in restraint of trade and receipt of illegal brokerage fees. Principal respondents named are: San Pedro Fish Exchange, Southern California Wholesale Fish Dealers Association, Seafood Brokerage, Inc.,



Los Angeles Fish Exchange, and Southern Sea Products Brokerage Corporation.

The Commission alleges in its complaint that these companies have a monopoly on certain varieties of sea food, and that they fix prices and establish boycotts.

Violation of the Robinson-Patman Act is charged in that the chief respondents, through their brokerage firms (Seafood Brokerage and Southern Sea Products Brokerage) required producers to pay brokerage fees for which no services were rendered.

### CONGRESS SUMMARY

#### House Committee Reports More Funds to Enforce New Food Law

During the past week, the Senate continued debate on the government reorganization bill, passing the measure on Thursday. Meanwhile the House passed the Interior Department appropriation bill, the second deficiency appropriation bill, and began debate on the Agricultural Department appropriation bill.

The House Appropriations Committee on Thursday reported the Agricultural appropriation bill for the fiscal year ending June 30, 1940. The bill contains an increase of \$540,000 over the appropriation of last year for the enforcement of the food and drug law. In explanation of the increase the Committee report calls attention to added work that will be placed on the Food and Drug Administration as a result of the new law. The Committee disallowed a recommendation of the Bureau of the Budget for a \$9,000 increase for expansion of the work on grading and certification of canned fruits and vegetables.

Administrator Andrews of the Fair Labor Standards Act is scheduled to appear on Tuesday before the House and Senate Labor Committees. He will meet with the House Labor Committee to continue a discussion of suggested amendments to the wage and hour law. The meeting is for the specified purpose of considering the "area of production" exemptions of the Act.

Chairman Thomas of the Senate Committee has invited the Administrator to appear before his Committee earlier in the day. The Committee meeting has been called to consider the President's appointment of Mr. Andrews as administrator of the statute.

Senator Walsh of Massachusetts has been named chairman of a Senate Education and Labor subcommittee appointed to consider amendments to the Walsh-Healey Government Contracts Act. Other members of the subcommittee are Senators Pepper of Florida, Hill of Alabama, LaFollette of Wisconsin, and Davis of Pennsylvania. It is expected that Senator Walsh will set a date for hearings in the near future.

A bill has been introduced by Senator Pepper, embodying provisions similar to the statutory authority under which the Federal Surplus Commodities Corporation diverts surplus farm products, for the diversion of surplus fishery products. The bill contemplates the payment of benefits to fishermen and would authorize an annual appropriation equivalent to 40 per cent of each year's import duties on fishery products to finance the program.

#### Area of Production Bill Introduced

Representative Joe Hendricks of Florida, Thursday, introduced a bill (H. R. 5283) designed to modify and clarify the "area of production" exemption contained in Section 13 of the Fair Labor Standards Act. The complete text of the bill follows:

"Notwithstanding the provisions of any other part of this section, an individual shall be regarded as employed in the 'area of production' within the meaning of this section, in handling, packing, storing, pasteurizing, drying, preparing in their raw or natural state, or canning, for market, perishable or seasonable fresh fruits or vegetables, if he is an employee of an establishment which is (A) located within, or in close proximity to, a district consisting of the farms on which such commodities are produced and land adjacent thereto, or in close proximity thereof; or (B) located at any point in proximity to any such district as described in clause (A) hereof in order to obtain reasonably available and adequate transportation, power, water, or other necessary operating facilities; and (C) is engaged in handling, packing, storing, pasteurizing, drying, preparing in their raw or natural state, or canning, for market, of any such commodity or commodities, or parts thereof produced at any place within any district as defined in clause (A) hereof. (D) When any such establishment, as defined in clauses (A) and (B) hereof, is located within the same general producing area or region for such commodity, it will be considered as within the same 'area of production' if the commodity is harvested in one such district, and any of the operations above referred to are carried on in whole or in part in another such district, or the said operations are otherwise combined in different districts of said general producing area or region. (E) An establishment will not be deemed to be within a district as defined in clause (A) hereof unless, within a radius of twenty-five miles of the establishment, there are normally produced commercial quantities of the major commodity used by such establishment."

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